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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2611  
DOCKET NO. 1317.1028/MDS/MJB

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8/23/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

Hyoung-Joo LEE

Group Art Unit: 2611

Serial No.: 09/055,712

Examiner: K. Bui

Filed: April 7, 1998

For: METHOD OF DISPLAYING TV PROGRAM PROGRESS TIME AND DEVICE  
THEREOF

**RESPONSE UNDER 37 CFR §1.116**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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**AUG 22 2002**

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**Technology Center 2600**

Sir:

This is in response to the Office Action mailed May 22, 2002, and having a period for response set to expire on August 22, 2002. The following remarks are respectfully submitted.

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1, 3-17, 20-31 and 33-35 are pending in this application.

**REJECTIONS IN VIEW OF 35 U.S.C. §103:**

At pages 2-9, item 4, of the Office Action, claims 1, 3-7, 10-17, 20-24, 28-31 and 33-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,727,060 to Young et al. in view of Hendricks et al. (U.S. 5,734,853).

Using claim 7 as an example, this claim recites "displaying next program information when a remaining program time reaches a preset time." Thus, the triggering event in displaying the next program information is the onset of a preset time.

The Examiner admits that Young et al. does not teach or suggest this feature, but instead relies upon Fig. 17 and column 35, line 37 to column 36, line 9 of Hendricks et al. as disclosing this feature. This portion of Hendricks et al. discloses that a user selects a particular movie from the hit movie major menu 1058. Hendricks et al., col. 35, ln. 42-43. The selected movie is shown at staggered start times, which the Examiner construes as corresponding to the claimed displaying at a preset time. However, it is respectfully submitted that the staggered start times have nothing to do with whether the next program information is displayed. These start times merely relate to the content of the information, once it is displayed. The triggering event in displaying the next program information is the selection of the movie by the user, not the reaching of a preset time. Furthermore, it is noted that this reference makes no mention of remaining program time.

Accordingly, withdrawal of the rejection of independent claim 7, and claims 8 and 9 depending therefrom, is requested.

Independent claims 1, 12-13, 17, 21, 28-31 and 33-35 recite similar features.

Accordingly, withdrawal of these claims, and all claims depending therefrom, is requested.

*In the Office Action at pages 9-10, item 5, claims 8-9 and 25-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Young et al. in view of Hendricks et al. and U.S. Patent No. 5,542,088 to Jennings, Jr. et al. This rejection is respectfully traversed in view of the following arguments.*

Claims 8-9 depend from claim 1 and are therefore distinguishable from Young et al. and Hendricks et al. for at least the above reasons.

Jennings, Jr. et al. does not overcome the deficiencies in Young et al. and Hendricks et al. and is not relied upon by the Examiner as such. Instead, the Examiner relies upon Jennings, Jr. et al. as disclosing a percentage calibrated time bar for indicating the percentage of the progressive program. Accordingly, withdrawal of the rejection of claims 8-9 is requested.

Claim 25 depends from claim 17, which recites "displaying the program progress time of the currently viewed program . . . in response to a command from a user to perform a function other than displaying the program progress time upon receipt of the command . . . the command being one of . . . setting of a preset time prior to a program termination of the currently viewed program." It is respectfully submitted that the Examiner's cited references do not disclose this feature.

Independent claim 26 recites "displaying the program progress time of the currently viewed program simultaneously with the currently viewed program automatically at a preset time." As discussed above with respect to claims 17 and 25, the Examiner's cited references do not include these features.

Accordingly, withdrawal of the rejection of claim 26 is requested.

Independent claim 27 recites "displaying the program progress time . . . automatically at a preset time." This feature is not disclosed by Young et al., Hendricks et al. and Jennings Jr. et al. for similar reasons as noted above. Accordingly, withdrawal of the rejection of claim 27 is requested.

#### **CONCLUSION:**

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

Should there be any remaining questions to correct formal matters, it is urged that the Examiner contact the undersigned at his convenience for a telephone interview to expedite and complete prosecution.


Serial No. 09/055,712

Docket No.: 1317.1028/MDS/MJB

Please charge any fees or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to  
our Deposit Account No. 19-3935.

Respectfully submitted,

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